

Bathroom Reader


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CON. AMENDMENT, PRO OR CON?

On the ballot this year is an amendment to the Hawai'i Constitution which would increase the minimum amount in controversy to get a jury in civil cases from \$5,000 to \$10,000. According to testimony, only two states have a threshold greater than Hawai'i, Louisiana (\$50,000) and Maryland (\$15,000), while 41 states have no minimum.

On the one hand, having fewer jury trials would lessen the burden on the trial courts. On the other, jury trials are a mainstay—and perhaps a fundamental part—of our civil justice system. What do you think?

WEST'S WHOOPSIE


 Thomson-Reuters brands itself the “Answer Company.” Earlier this year, however, West Publishing, a Thomson-Reuters subsidiary, informed customers that it had erroneously omitted portions of text from state and federal cases published on Westlaw and in its hardcopy reporters from November 2014 to March 2016.

The company attributed the errors to a glitch in its PDF conversion process resulting in approximately 0.05% of the total decisions reported during that period being affected. But, that small percentage amounts to hundreds, if not thousands, of cases! West insists, however, that none of the issues resulted in any change to the mean-

ing of the law and they have since corrected the erroneous cases on Westlaw and replaced volumes in libraries across the country. Unfortunately, other databases, such as Google Scholar, that get cases from West may not have corrected the errors yet.

West had published a list of the corrected cases on its website, but the link no longer works, and the list has mysteriously vanished. Luckily, Professor Roberta Woods was able to save a copy of the page before the list was taken down. If you think your work may have been affected, please see Professor Woods for the list.

UNIQUE UBIQUITY

 Given Richardson's position in Hawai'i, it's no surprise that its alumni are everywhere in the local legal community. Just take a look at the trial of Hawai'i County Mayor Billy Kenoi. Kenoi's trial, for the alleged theft of county funds, is full of Richardson lawyers. Both Kenoi ('96) and one of his attorneys, Todd Eddins ('91), are Richardson grads. Prosecuting Kenoi is Deputy Attorney General Michelle Pu'u ('02). That's the parties, what about the court and staff? Well, both Judge Dexter Del Rosario ('82) and his law clerk Jeff Oka ('16) are proud Richardson alumni! So, be sure to treat your classmates nicely, because you may find yourself in court appearing in front of one, battling one, defending one, or all three at the same time!

BATTLE OF HASTINGS

On October 14, 1066, a watershed event in English history occurred. An event that, even on its 950th anniversary, affects us today: the Battle of Hastings. The battle was the last gasp of the English King Harold and of the resistance he led against the invading Normans led by William (“the Bastard.” “The Conqueror” came later).

But, how does the battle affect us? Well, the changes that William made to the English legal system after becoming king are a part of the system that we inherited from England. For example, the introduction of a jury system. William chose judges to travel the country to hear cases. The judges would be assisted by a group of 12 locals who explained the local customary law and how the defendant violated it. Over time, the system evolved into the one we're familiar in which the 12 judge the facts, and the judge, the law.



Invasion ship, Bayeux Tapestry

The next few issues will feature interesting facts about the invasion and the changes William wrought that were incorporated into the legal system we have today. So, be sure to stop on by!